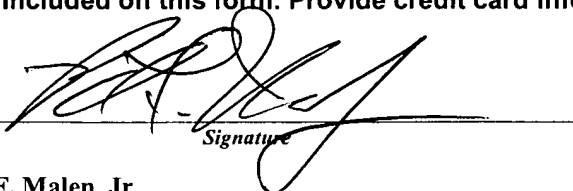


TRANSMITTAL LETTER (General - Patent Pending)				Docket No. 15436.77.1	
In Re Application of Steve Wang					
Application No. 10/673,623	Filing Date September 29, 2003	Examiner Juliana K. Kang	Customer No. 022913	Group Art Unit 2874	Confirmation No. 2542
Title: OPTICAL SWITCH HAVING A REFLECTIVE COMPONENT					
<u>COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is: Response to Election of Species Requirement (2 pgs); Certificate of Mailing by "Express Mail"; and Postcard					
in the above identified application.					
<input checked="" type="checkbox"/> No additional fee is required. <input type="checkbox"/> A check in the amount of _____ is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 23-3178 as described below. <div style="margin-left: 20px;"><input type="checkbox"/> Charge the amount of _____ <input checked="" type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional fee required.</div> <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
 _____ <i>Signature</i> Peter F. Malen, Jr. Attorney for Applicant Reg. No. 45,576 Telephone No. 801-533-9800			Dated: October <u>10</u> , 2005		
CC:			<div style="border-bottom: 1px solid black; margin-bottom: 5px;">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px; text-align: center;">(Date)</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px; text-align: center;">Signature of Person Mailing Correspondence</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px; text-align: center;">Typed or Printed Name of Person Mailing Correspondence</div>		

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Steve Wang

Docket No.

15436.77.1

Application No.

10/673,623

Filing Date

September 29, 2003

Examiner

Juliana K. Kang

Customer No.

022913

Group Art Unit

2874

Invention:

OPTICAL SWITCH HAVING A REFLECTIVE COMPONENT

OCT 10 2005



I hereby certify that the following correspondence:

Response to Election of Species Requirement (2 pgs); Transmittal Letter (2 pgs in duplicate); and Postcard

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

October 10, 2005*(Date)*Gina Meredith*(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)*EV 680255873 US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

Express Mail No.: EV 680255873 US

PATENT APPLICATION

Docket: 15436.77.1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Steve Wang

Serial No.:

10/673,623

Filed:

September 29, 2003

Conf. No.:

2542

For:

OPTICAL SWITCH HAVING A
REFLECTIVE COMPONENT

Examiner:

Juliana K. Kang

Customer No.:

022913

Art Unit
2874

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

MAIL STOP: AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In the Office Action mailed September 9, 2005 (the "Office Action"), the Examiner set forth an Election of Species Requirement that identified what the Examiner has characterized as four (4) patentably distinct species of the claimed invention. In particular, the Examiner suggested in the Office Action that the present application contains claims directed to the following species:

I: Species a (Figures 2A-C and 4);

II: Species b (Figures 2D and 5);

III: Species c (Figure 6); and

IV: Species d (Figure 7).

In response to the Election of Species Requirement set forth in the Office Action, Applicant hereby elects Species a (Figure 2A-C and 4) for examination. Applicant directs the attention of the Examiner to the fact that Figure 3 is a cross-sectional view of the switch of Figure 2A (see paragraphs 22 and 49 of the specification). Accordingly, Applicant submits that Figure 3 should be included as part of species "a." Claims 14-17, 18-22, 25, 26-30, 36-42, are readable on Species a.

Applicant's election herein is made without prejudice. As noted by the Examiner, upon the allowance of a generic claim, Applicants will be entitled to consideration of claims to additional species that are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. § 1.141.

An action on the merits of all the claims and a Notice of Allowance thereof are respectfully requested. In the event that the Examiner wishes to discuss any of the matters contemplated hereby, the Examiner is invited to initiate a telephone conversation with the undersigned.

DATED this 10th day of October, 2005

Respectfully submitted,



PETER F. MALEN JR.
Attorney for Applicant
Registration No.: 45,576
Customer No.: 022913
Telephone No.: (801)533-9800